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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,168	10/22/2001	Hawley K. Rising III	080398.P503	1609
8791	7590	10/23/2003		
BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD, SEVENTH FLOOR LOS ANGELES, CA 90025			EXAMINER HAVAN, THU THAO	
			ART UNIT	PAPER NUMBER
			2672	

DATE MAILED: 10/23/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/044,168

Applicant(s)

RISING ET AL.

Examiner

Thu-Thao Havan

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5</u> . | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Drawings*

This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims **1-27** are rejected under 35 U.S.C. 102(e) as being unpatentable by Weil et al. (US patent no. 6,278,462).

Re claim 1, Weil teaches a computerized method for graph rewriting (col. 1, lines 19-66; col. 7, lines 24-38) comprising comparing an input graph representing a description scheme for multimedia content with a set of pre-defined template graphs (col. 12, lines 12-67; col. 3, lines 14-18; figs 8 and 14a), and validating the input graph when there is a match with a template graph (col. 8, line 23 to col. 10, line 55). In other words, Weil teaches a flexible scheme technique to information within a particular multimedia in relation to the data processing by a computer system. A scheme instance data structure is used for applying a set of coordinated attributes to any number of components within a composition. The data structure includes a scheme instance

category indicating a type of scheme (i.e. graph) and a number of attributes corresponding to the scheme instance category. Also included are a number of scheme slots, and each scheme slot is associated with zero or more components of the composition. Each of the scheme slots is also associated with each of the attributes. In other words, each scheme slot is arranged to hold a distinct value for each of the attributes. In this fashion, for each of the scheme slots, the scheme instance data structure may be used to apply values of attributes to the components of the composition associated with each scheme slot. In a further embodiment, a scheme instance includes a number of levels, each level having a complete set of values for the attributes. The scheme instances may be stored in a table like format. The table like format corresponds to a template. For example, graphics schemes include a Business scheme, a Festive scheme and a Medieval scheme. Each of these schemes provides a particular look to an element of a composition, a portion of a composition, or to the composition itself.

Re claims **2, 11, and 20**, Weil discloses comparing uses a graph matching process (figs. 1-2, 5, and 8). In figures 8, Weil discloses the attributes to match a particular process for a graph.

Re claims **3, 12, and 21**, Weil discloses creating adjacency matrices representing the input graph and the set of template graphs (col. 7, line 23 to col. 8, line 20; figs. 2 and 8). In figure 2, Weil teaches graphics schemes include a Business scheme, a Festive scheme and a Medieval scheme. Each of these schemes provides a

particular look to an element of a composition, a portion of a composition, or to the composition itself.

Re claims **4-6, 9, 13-15, 18, 22-24, and 27**, Weil discloses evaluating the input graph against a set of pre-defined alphabet graphs and applying a rule associated with a matching alphabet graph to the input graph, the rule represented by a rule graph and a set of morphism graphs (col. 12, line 12 to col. 14, line 34). In other words, Weil teaches a ruling specification defines how lines will appear. A ruling specification is typically used with an edge of a box. A ruling specification includes values for the space between lines, the thickness of lines and their lengths. A ruling specification may also indicate a single line, a double ruled line, and a triple ruled line. Each of these lines within a ruling specification will also have a line specification defining that line. For example, a line specification defines whether a line has end caps and of which type, whether the line is dotted, dashed or continuous, whether the line includes a bit map. A more complex implementation could specify bit maps for the lines and ends.

Re claims **7-8, 16-17, and 25-26**, Weil discloses the applying comprises performing a pushout/pullback operation (figs. 7-8).

Re claims **10 and 19**, the limitation of claims 10 and 19 are identical to claim 1 above. Therefore, claims 10 and 19 are treated with respect to grounds as set forth for claim 1 above.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kumar et al., US patent no. 5,999,188

Yan et al., US patent no. 6,502,105

Takahashi et al., US patent no. 5,999,162

Saito, US patent no. 5,818,458

Hogan et al., US patent no. 5,414,809

### **Inquiries**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu-Thao Havan whose telephone number is (703) 308-7062. The examiner can normally be reached on Monday to Thursday from 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (703) 305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

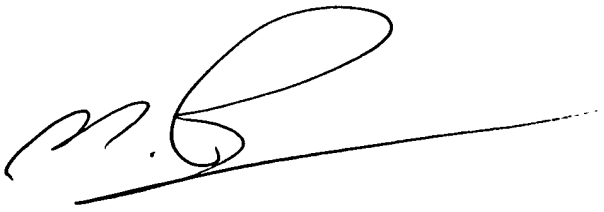
(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Art Unit: 2672

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Thu-Thao Havan  
Art Unit: 2672  
October 16, 2003



**MICHAEL RAZAVI**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600